

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

IRENE YATES,

*

Plaintiff,

* Civil Action No. 1:21-cv-03044-TDC

v.

* [Removed from the Circuit Court for
Prince George's County, Maryland

FEDERAL NATIONAL MORTGAGE
ASSOCIATION, *et al.*

* Case No. CAL21-06962]

Defendants.

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STATEMENT CONCERNING REMOVAL

Defendant NewRez LLC d/b/a Shellpoint Mortgage Servicing (“Shellpoint”), by undersigned counsel and pursuant to the Court’s Standing Order 2021-13, ECF 8, hereby files this Statement Concerning Removal, and states as follows:

1. Shellpoint was never served with the initial Summons and Complaint, but Shellpoint was served with the Amended Complaint and corresponding Summons on October 28, 2021.¹

2. The removal of this action is predicated on diversity jurisdiction because there is complete diversity of citizenship between the parties and the amount in controversy for the complaint exceeds \$75,000.00. The Named Plaintiff Irene Yates is a citizen of the State of Maryland, while Defendant Shellpoint is a citizen of both Delaware and New York.

¹ Original Defendant Federal National Mortgage Association (“Fannie Mae”) was served with the Amended Complaint on November 2, 2021. Following removal, on November 30, 2021, Plaintiff voluntarily dismissed Fannie Mae from the case. ECF 3.

3. The removal of this action took place within the thirty (30) day period for removal. Shellpoint was served with the Amended Complaint and the corresponding Summons on October 28, 2021. Removal occurred on November 29, 2021. ECF 1.

4. This is not an action in which the state court proceeding was commenced more than one year before the date of removal.

5. Shellpoint is the only remaining defendant in this action.

WHEREFORE, for the forgoing reasons, Defendant NewRez LLC d/b/a Shellpoint Mortgage Servicing hereby submits this Statement Concerning Removal.

Dated: December 13, 2021

Respectfully submitted,

/s/ Melissa O. Martinez

Melissa O. Martinez (Fed. Bar No. 28975)

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***Counsel for Defendant NewRez LLC d/b/a
Shellpoint Mortgage Servicing***

CERTIFICATE OF SERVICE

I hereby certify that on December 13, 2021 a copy of the foregoing *Statement Concerning Removal* was electronically filed via the Court's CM/ECF system and served on the following:

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